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Poker tournament at police lodge declared illegal, canceled

By JON FRANK, The Virginian-Pilot
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VIRGINIA BEACH — A monthly poker tournament organized by a Virginia Beach police officer that attracted as many as 150 participants and featured a $4,500 pot will no longer be held after the city's commonwealth's attorney advised the Fraternal Order of Police that the event was illegal.

The tournament had been held at the FOP headquarters on Birdneck Road about once a month on Sundays since December. This month's game had been scheduled for Sept. 12. It has been canceled.

Commonwealth's Attorney Harvey L. Bryant III said Wednesday that FOP leaders approached him last week to inquire about the legality of the poker event.

"They sought a legal opinion," Bryant said. "We gave a legal opinion, and they are going to stop the game."

According to Bryant, FOP leaders said they mistakenly thought that the tournament's legality already had been verified and were "chagrined" to find out that it had not.

He said no one will be charged for operating the illegal game.

The game became an issue with the FOP after the state Department of Charitable Gaming determined that the tournament was illegal and reported the matter to city prosecutors.

The gaming commission said the tournament must be shut down, or the FOP would risk losing its license to hold charity bingo and raffle events, said Paul A. Farrell, the police officer who organized the event.

Farrell said the FOP allowed him to use its lodge for the event and provided a lunch buffet for participants.

He said the ruling was a shock to him because he had been assured that the game was legal as long as he did not take a "cut" of the proceeds.

Farrell said all proceeds – generated by a $75 fee charged to each participant – were turned over to the winners of the tournament.

"I thought I was doing everything on the up and up," he said. "I definitely paid out everything that I took in."

The tournament featured Texas Hold 'Em poker, the seven-card game made popular in recent years by television events featuring celebrities and professional gamblers that are broadcast from Las Vegas casinos and other gaming locations. Farrell said he got the idea for a local tourney after seeing the televised events.

Clyde Cristman, director of the state Department of Charitable Gaming, said Wednesday that he received a complaint about the tournament in August and notified Bryant's office.

Cristman said state statutes outlaw all gambling in Virginia, with four exemptions: bingo and raffles held by charitable organizations; the state lottery; off-track parimutuel betting; and games held in private homes.

The FOP game, Cristman said, does not qualify under any of the exemptions.

Poker itself is not outlawed by state statute, he said, but playing it for money anywhere but at a private residence is illegal.

Farrell, 40, a patrol officer based at the 4th Precinct , said the Virginia Beach game started as a small gathering of police officers and their friends earlier this year.

The first game attracted about 30 people, he said. The last two each drew about 150, some from as far away as the Shenandoah Valley.

"I was turning people away," Farrell said.

He said the games never included more than about 20 police officers.

The participation fee purchased $100 worth of chips. The final 10 players won all the money, anywhere from $150 to $4,500.

Farrell compared the event to a golf or pool tournament, events that require skill, rather than simple games of chance such as bingo or raffles.

He said that other Texas Hold 'Em poker games are being held in the region and that he hopes if they, too, are forced to shut down, legislators will change the law to exempt tournament poker from the anti-gambling statutes.

He said people should be allowed to play poker for money in tournaments.

"I enjoy it," he said.

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